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**FILED**  
DISTRICT COURT OF GUAM  
MAR - 5 2007 No.  
MARY L.M. MORAN  
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and  
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiffs,

vs.

FUJITSU LIMITED, FUJITSU  
MICROELECTRONICS AMERICA, INC.,

Defendants.

CIVIL CASE NO. 06-CV-00025

*Duy*  
~~PROPOSED~~ DISCOVERY PLAN

Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Local Rule 16.1 for the District Court of Guam, the parties hereby propose the following Discovery Plan.

See Page 2 \**Duy*

1. Defendants propose that the disclosures required by Fed. R. Civ. P. 26(a)(1) and L.R. 26.2 shall be made, if necessary, thirty (30) days after the Court's ruling on Fujitsu's Motion to Dismiss or Transfer and FMA's Motion to Dismiss or Transfer ("Motions"), set for hearing on March 22, 2007. Plaintiffs propose that the disclosures required by Fed. R. Civ. P. 26(a)(1) and L.R. 26.2 shall be made thirty (30) days after the entry of the Scheduling Order.

2. In the event the Motions are denied, the parties anticipate complex and lengthy discovery due to the numerous patents at issue and the complexity of the issues. Discovery will be by document request, request for admission, interrogatories, and depositions. Third party

**ORIGINAL**

CIVIL CASE NO. 06-CV-00025

1 discovery has already been filed by Nanya and additional third party discovery is possible.  
2 Extensive expert discovery is also anticipated. All or almost all depositions will need to be held  
3 in foreign countries and California.

4       3. Due to the complexity of the case, the parties anticipate that they may need to seek  
5 modification of the limitations on discovery provided under the Rules or additional limitations on  
6 discovery, and will apply for appropriate relief as needed.

7       4. Due to the complexity of the case and need for extensive discovery in other  
8 countries and in the Fifty States, discovery is anticipated to take in excess of one year. They  
9 propose that all discovery will be completed before: February 1, 2008.

10 The parties are not aware at this time of any orders that should be entered by the Court under Rule  
11 26(c) or under Rule 16(b) and (c). Plaintiffs served FMA with a first request for production of  
12 documents on December 14, 2006. In addition, on January 31, 2007, Plaintiffs provided  
13 Defendants with copies of sixteen sets of voluminous merits-based discovery requests, and the  
14 parties are currently negotiating response dates. On February 9, 2007, Plaintiffs served sets of  
15 discovery requests on Fujitsu and FMA. Nanya has served certain third party subpoenas. Nanya  
16 has requested the depositions of Mr. Shigeru Kitano of Fujitsu and Mr. Michael Moore of FMA.

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21 \* The Defendants' disclosures required by Fed.R.Civ.P.26(a)(1) and L.R.  
22 26.2 shall be made sixty (60) days after the entry of the Scheduling  
23 Order.

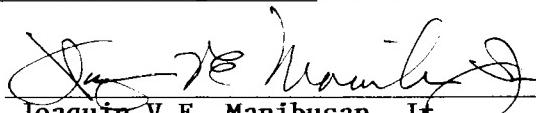
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1 FMA has agreed to produce Mr. Moore in California on February 27, 2007. The parties are  
2 trying to work out a date and location for Mr. Kitano's deposition.

3 SO ORDERED this 2nd day of March, 2007.

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Joaquin V.E. Manibusan, Jr.  
U.S. Magistrate Judge, District Court of Guam

**APPROVED AS TO FORM AND CONTENT:**

CALVO & CLARK, LLP  
Attorneys for Defendants

Date: 

By:   
DANIEL M. BENJAMIN

TEKER, TORRES & TEKER, P.C.  
Attorneys for Plaintiffs

Dated: 2/16/07

By:   
JOSEPH C. RAZZANO

RECEIVED  
FEB 16 2007

DISTRICT COURT OF GUAM  
HAGATNA, GUAM